

ALTERNATIVE DISPUTE RESOLUTION

ADR

*In Environment,
Natural Resources
and Land Use Disputes*

April 4, 2003

Key Bridge Marriott
Arlington, Virginia

SPONSORED BY
Alternative Dispute Resolution Section
Federal Bar Association

...

**U.S. Institute for
Environmental Conflict Resolution**

WITH SUPPORT FROM
ABA Section on Dispute Resolution



ADR IN ENVIRONMENT, NATURAL RESOURCES AND LAND USE DISPUTES SEMINAR OVERVIEW

Welcoming Remarks

Richard J. Webber, Chair, Alternative Dispute Resolution Section, Federal Bar Association;
Partner, Arent Fox

Cherie Shanteau, U.S. Institute for Environmental Conflict Resolution

Introduction

Kirk Emerson, Director of the U.S. Institute for Environmental Conflict Resolution

ADR Use and Experiences in Environment, Land Use and Natural Resources Cases

This panel will present case studies for a variety of complex, multi-party environmental, natural resources and public lands disputes. The panelists will provide their candid perspectives and describe challenges they faced in the resolution process.

Cherie Shanteau, (Moderator), Senior Mediator/Senior Program Manager,
U.S. Institute for Environmental Conflict Resolution

John Bickerman, John Bickerman & Associates

Robert Fisher, RESOLVE

Phillip J. Harter, The Mediation Institute

ADR Resources: Finding Appropriate Environmental Mediators

The panel presentation is focused on various neutral and mediator resources available to attorneys and parties and how to access them effectively. Panelists will provide insights into their programs and the processes they use to help parties find experienced mediators.

Elena Gonzalez (Moderator), U.S. Department of the Interior,
Collaborative Action & Dispute Resolution Office

Deborah Kant, U.S. Department of Justice

Joan Calcagno, Roster Manager, U.S. Institute for Environmental Conflict Resolution

Daniel P. Dozier, MNG Center for Environmental Strategies and Technology
(formerly the Marasco Newton Group)

Luncheon with Keynote Speaker

James Connaughton, Chairman of the White House Council for Environmental Quality,
Executive Office of the President

ADR Case Assessment: When Can a Dispute Benefit from ADR? When Should ADR be Considered?

Case assessment is a critical and often overlooked first step to help attorneys and clients determine whether to proceed with a mediated process. This panel will discuss basic principles and offer case assessment approaches in a variety of settings.

Deborah Kant (Moderator), U.S. Department of Justice

Judge Gladys Kessler, U.S. District Court for the District of Columbia

Elena Gonzales, U.S. Department of the Interior,
Collaborative Action & Dispute Resolution Office

Nancy E. Stanley, Director, Dispute Resolution Program,
U.S. District Court, District of Columbia Circuit

David Aemmer, Chief Mediator, U.S. Court of Appeals for the Tenth Circuit

Cherie Shanteau, Senior Mediator/Senior Program Manager,
U.S. Institute for Environmental Conflict Resolution

Dealing with the Press in Multi-party, Environmental Disputes: Challenges with Confidentiality

Mediators and parties struggle with the need to convene private conversations and the press' interest in informing the public. This panel will discuss the legal framework relating to confidentiality, specific case experiences, as well as media perspectives on these challenging issues.

Phillip J. Harter (Moderator), The Mediation Institute

Timothy J. Mealey, Senior Partner, The Meridian Institute

Heather Sibbison, Partner, Patton Boggs, LLP

Ellen Wheeler, Deputy Director and General Counsel, The Morris K. Udall Foundation

Joe Davis, Ph.D., Freelance Journalist

SEMINAR SCHEDULE

Friday, April 4, 2003

9 a.m.	<i>Registration</i>
9:45 a.m.	Welcoming Remarks
10 a.m.	Introduction
10:15 a.m.	ADR Use and Experiences in Environment, Land Use and Natural Resources Cases
11:15 a.m.	<i>Break</i>
11:30 a.m.	ADR Resources: Finding Appropriate Environmental Mediators
12:30–1:30 p.m.	Luncheon
1:30 p.m.	ADR Case Assessment: When Can a Dispute Benefit from ADR? When Should ADR be Considered?
2:30 p.m.	Dealing with the Press in Multi-party, Environmental Disputes: Challenges with Confidentiality
3:30 p.m.	<i>Adjournment</i>

This year our ADR Environment Seminar coincides with the grand finale of the NATIONAL CHERRY BLOSSOM FESTIVAL in our nation's capital. Sign up now and take advantage of this unique opportunity. Hear the latest legal developments and, with your family and friends, join in this incredible celebration. The nearly month-long festival culminates on the first weekend of April. Make your reservations now so you can:

On Thursday, April 3:

- Meet the Cherry Blossom Princesses, 10–11:30 a.m., Capital Children's Museum
- Visit the Tall Ships, 2–5 p.m., Washington's Southwest Waterfront
- Make Paper Cherry Blossoms, noon–3 p.m., Capital Children's Museum
- Dine aboard the Odyssey on a Gala Cherry Blossom Cruise of the Potomac, 7 p.m.

On Friday, April 4:

- Open the eyes and imaginations of children at the Cherry Blossom Washi Discovery Lab (grades 3 & up), 11 a.m., noon, 1 p.m. and 2 p.m., Capital Children's Museum
- Enjoy the concert and immerse yourself at the festival Cultural Fair, sponsored by D.C. Chamber of Commerce, noon–2 p.m., Ronald Reagan Building and International Trade Center
- Discover the magical world of mythical Japan in a Capital Children's Museum production of Japanese Folktales, an interactive play for children and families, 1 p.m. and 3 p.m.
- Dance the night away at the National Conference of State Societies' black-tie Cherry Blossom Grand Ball, 6 p.m.–midnight, Marriott Metro Center

On Saturday, April 5:

- Start the day viewing the NATIONAL CHERRY BLOSSOM FESTIVAL PARADE®, a Washington tradition featuring marching bands, floats from across the country, costumed dance troupes, giant helium balloons, and special celebrity guests, all of which make this a great family entertainment, 9:30 a.m.
- After the parade walk over to one of the largest Japanese street festivals in the country, the Sakura Matsuri Festival. Enjoy cultural performances as well as arts and crafts demonstrations, and the Taste of Japan featuring local Japanese restaurants, noon–5 p.m., 12th Street and Pennsylvania Ave.
- End your day watching the Parade of Lighted Boats. Brightly decorated boats cruise the Washington Channel led by Presidential Yacht Sequoia, 7 p.m.

On Sunday, April 6:

- Start your day watching, walking or running in the Credit Union Cherry Blossom 10-Mile Race. This world-class event draws runners from across the globe. The sponsors will hold a Fun Run and 1K Kids Run the same day, 8 a.m., West Potomac Park
- Join in Cherry Blossom Fun for Kids, 11:30 a.m. and 2:30 p.m., Capital Children's Museum

The Events and Sites

Making your reservations and planning your Washington holiday is easy. Log onto the official National Cherry Blossom Festival Web site for event details and reservations:

<http://www.nationalcherryblossom.com>. Advanced reservations are required for many events because of this festival's international popularity.

This site also has links to everything you could want to make your Washington stay perfect. Find the best tours, including Capitol River Cruises, Tourmobile Sightseeing, Gold Line/Gray Line bus tours, organized walks through the Mall and historic Georgetown, and bike adventures. Links also lead to information about all of our Capital's great attractions—the White House, the Bureau of Engraving and Printing, where money is made, Ford's Theater, the FDR Memorial and the Lincoln Monument, to name just a few.

HOTEL ACCOMODATIONS

All of the wonderful events and places are easily reached from the official seminar hotel, the **Key Bridge Marriott**. The Key Bridge Marriott, a premier hotel with 585 rooms, sits atop a bluff overlooking the Nation's Capital and Georgetown from the Virginia side of the Francis Scott Key Bridge. The hotel is only minutes from the Ronald Reagan Washington National Airport, two blocks from the Rosslyn Metro Station, and minutes by car or Metro from all the Cherry Blossom activities.

Call the Key Bridge Marriott and reserve your rooms now at the FBA special rate of \$150 plus tax, at (703) 524-6400 locally, or (800) 228-9290, and specify that you will attend the FBA Environment ADR Seminar to receive the seminar discount rate. Room and rates are guaranteed only through March 13, 2003, so reserve now.

SEMINAR REGISTRATION

Return the completed registration form by mail to:
ADR in Environment, Natural Resources, and Land Use
Disputes, FBA, 2215 M St., NW, Washington, DC 20037
fax to: (202) 785-1568, or
REGISTER ONLINE
at: www.fedbar.org.

First Name & Middle Initial	Last Name
Firm/Agency/Company	
Address	
Address	
City, State & Zip Code	
Daytime Phone	
Fax Number	
E-mail Address	
Approving Manager	
Special Needs? Including dietary, materials or services.	

PROGRAM FEES

- ☐ FBA member or government attorney – \$195
- ☐ **Yes, I want to join the FBA** today and pay the member price – \$195 (*a completed membership application, found on the back, and dues payment must be submitted with your registration and program fee*)
- ☐ Nonmember – \$265

METHOD OF PAYMENT

- ☐ Check (payable to the Federal Bar Association) enclosed for the amount indicated above.
- ☐ P.O./Training form enclosed for the amount indicated above. P.O. Number _____

Amount indicated above will be charged to:

- ☐ American Express
- ☐ Diners Club
- ☐ MasterCard
- ☐ VISA

Credit Card Number	Exp. Date
Cardholder's Name (please print)	
Cardholder's Signature	

Cancellation Policy All cancellations must be received in writing at the Federal Bar Association, Attn: ADR Environment Seminar, 2215 M St., NW, Washington, DC 20037. We will not accept any cancellations over the phone. *No cancellations will be accepted or refunds issued after March 24, 2003.* No-shows will be billed.

Federal Bar Association Membership Application *Raising the Bar to New Heights*

1. PLEASE TELL US ABOUT YOURSELF (Please Print)

First Name M.I. Last Name

Title

☐ Male ☐ Female Date of Birth / /

First Admission to Bar in U.S. (required, unless applying for law student or foreign associate status)

Court State Bar Date

Please supply both your business and home addresses below.

My preferred mailing address is ☐ Business ☐ Home

Business Address

Firm/Agency

Address

Suite/Floor

City State Zip

() ()

Phone Fax

E-mail

Home Address

Address Apt. #

City State Zip

() ()

Phone Fax

Practice Information

Type of Practice

☐ Private ☐ Military ☐ Retired
☐ Government ☐ Corporate ☐ Judiciary

2. FBA ANNUAL DUES

☐ Member

Admitted to bar **5 years or more**\$105

☐ Member

Admitted to bar **fewer than 5 years**\$55

☐ Retired Member

Applicant is fully retired from the practice of law \$55

☐ Foreign Associate

Admitted to practice law outside U.S.\$105

Country Court/Administrative Tribunal

☐ Law Student Associate

Currently enrolled at an accredited law school\$15

Law School Expected Date of Graduation

☐ Sustaining Member – Optional\$60

This category is in addition to regular dues. It is used to support CLE programs and publications.

Dues Total\$

Please enter amount in line 4A of the Dues Worksheet.

3. LOCAL CHAPTER AFFILIATION, SECTIONS & DIVISIONS

(Local chapter, section or division dues, if applicable, are listed. For a complete listing of chapters, sections and divisions, visit www.fedbar.org.)

☐ **Alternative Dispute Resolution Section\$15**

Dues Total\$

Please enter amount in line 4B of the Dues Worksheet.

4. DUES WORKSHEET

FBA Dues4A \$

Local Chapter, Section or Division Dues ..4B \$

Total Amount Enclosed (Add 4A, 4B)\$

5. PAYMENT INFORMATION

Payment Options

☐ Check payable to Federal Bar Association

Please charge my dues to

☐ VISA ☐ MasterCard ☐ Diners Club

Card No. Exp. Date

X Signature Date

The undersigned hereby applies for membership in the Federal Bar Association and agrees to conform to its Constitution and Bylaws and to the rules and regulations prescribed by its National Council.

X Signature of Applicant Date

***Note** Contributions and dues to the FBA may be deductible by members under provisions of the IRS Code, such as an ordinary and necessary business expense, except 1.68% which is used for congressional lobbying and is not deductible. Your FBA dues include \$14 for a yearly subscription to the FBA's professional magazine.

Please complete and submit with registration:

ADR Environment Seminar
Federal Bar Association
2215 M St., NW, Washington, D.C. 20037
(202)785-1568 (fax)

ADR

*In Environment,
Natural Resources
and Land Use Disputes*

Federal Bar Association
2215 M Street, NW
Washington, DC 20037

APRIL 4, 2003



Hear the latest legal developments and enjoy the National Cherry Blossom Festival in Washington, D.C.